

REMARKS

In response to Paragraph 3 of the Office Action, Applicant has rewritten claim 6 in independent form including all of the limitations of the base claim and any intervening claim. Accordingly, allowance of claim 6 is respectfully requested.

In Paragraphs 1-2, the Examiner rejected claims 1-5 and 7-13 under 35 U.S.C. 102(b) as anticipated by Bishop et al. The Examiner contends that Bishop et al. reads upon "a plurality of at least one of protrusions, ridges, grooves and channels formed on said ribbed outer surfaces". The Examiner takes the position that the surfaces of Bishop et al. do possess a rib such as at 60/36 or 28/40 with such surfaces also possessing ridges and grooves, or channels.

Applicant respectfully traverses this rejection. Bishop et al. does not teach a plurality of ribbed outer surfaces having a plurality of at least one of protrusions, ridges, grooves, and channels, said ribbed outer surfaces sized and shaped to receive flowing water and direct the water in a direction different from the direction in which the water is received, as claimed herein.

Bishop et al. shows modules intended to be joined to form a barrier with the modules having numerous faces disposed at different angles. However, the surfaces of the faces are smooth, and are not intended to interact with flowing water impinging on the surfaces to change the direction of the water by means of grooves, protrusions, and the like formed on the outer surface of these faces.

As stated in Bishop, Column 6, lines 40-49 and in Claim 1, column 10, lines 53-

As stated in Bishop, Column 6, lines 40-49 and in Claim 1, column 10, lines 53-57, "the front, back, top and bottom walls 28-34, the attaching means 44, the first and second transitional surfaces 40,60, and the first and second sidewalls 36,38 all have *planar* surfaces inclined to each adjacent surface. (*italics added*).

As further stated in Column 5, lines 35-40, "the walls 28-34, the first and second sidewalls 36, 38 in spaced relation, and the transition surfaces 40 are all preferably *smooth* and inclined at angles with each other. Seams 42 along which these surfaces intersect are preferably even and well defined, and provide for a generally 45° angle among the inclined surfaces." (*Italics added for emphasis*).

The American Heritage Dictionary, Second College Edition, page 947, copy enclosed as Exh. A, defines "planar" as:

1. of, pertaining to, or situated in a plane
2. Flat
3. Having a two-dimensional characteristic

Thus, the energy dissipating assembly of Bishop et al. has planar surfaces, i.e., flat, smooth surfaces.

Furthermore, applicant wishes to point out that the seams 42 along which the surfaces of the Bishop et al. assembly intersect are even and well defined, and provide for a generally 45° angle among the inclined surfaces. Contrary to the Examiner's assertions, these seams do not constitute "protrusions, ridges, grooves, and channels on the ribbed outer surfaces" as claimed by applicant. Nor do surfaces 60/36 or 28/40 possess a ribbed structure, or ridges, grooves or channels.



Accordingly, it is thought that the claims as amended now clearly distinguish over Bishop et al.

In view of the foregoing Amendments and the Remarks in support thereof, it is respectfully submitted that this case is in condition for allowance. Favorable action on the merits, including entry of all requested amendments and allowance of claims 1 -13 is respectfully solicited.

Respectfully submitted,

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Manufactured in the United States of America

g n. The obtaining of minerals from places of
redging. — *placer miner* n.
plac'ə. 1. A table service for one person. 2. A
plac'ədj. 1. Having an undisturbed surface.
hardly calm or composed: [*Rosemary*] was
"wardly on fire" [F. Scott Fitzgerald]. 2. A
implacant. [Lat. *placidus* < *placere*, to please.
(plə-sī'd-i-tē), plac'id-ness n. — *placidity* n.
k'i't) n. 1. A slit in a dress, blouse, or skirt.
rment easy to put on or take off. 2. A pocket
man's skirt. [Orig. unknown.]
i'k'əd) adj. Platelike, as the hard, smooth
sarks, skates, and rays are. [Gk. *plax*; *plax* is
plə) adj. Mus. 1. Designating a medieval scale
age from the fourth below to the fifth above
2. Designating a cadence with the subdominant
diately preceding the tonic chord. [Med. Lat.
k. *plagiūs*, oblique < *plagus*, side.]
(plā'jə-rīz'əm) n. 1. The act of plagiarizing.
g plagiarized. [< *PLAGIARY*.] — *plagiarist* n.
'tīc adj.
(plā'jə-rīz'ə-v, -rīz-īng, -rīz-əs
(the ideas or writings of another) as one's
propriate passages or ideas from and use them
— *intr.* To take and use as one's own the
another. [< *PLAGIARY*.] — *plagiarism* n.
plā'jə-rē) n. pl. -ries. 1. Plagiarism.
agiarizes. [Lat. *plagiarius*, plunderer
< *plaga*, net.]

plague (*plæg*) *v.* *plag*. Stanting; inclining; *plagiotropism*, [*<* Gk. *πλαγιος* oblique *>* *plagos*, side].
plague-class (*pl'jæ-ə-kلاس*, -klärz', plāj'jē) *n.* Any of a comparatively rare rock-forming series of trichitic feldspars, consisting of mixtures of sodium and calcium aluminum silicates. [G. *Hippoplasia*: *<* Gk. *plagos*, oblique (*<* *plagos*, side) + Gk. *πλαττείν*, breaking *<* *planos*, to break.]
plagioclino-pism (*plāj'jö-ō-trä-pliz'əm*) *n.* *Biol.* The tendency to grow at an oblique or horizontal angle. Used chiefly of stems, roots, or branches. — *plagiö-clinö'tropic* (-ö-trö'pik, -tröp'ik) *adj.* — *plajiö-clinö'tric'al'y adv.*
plague (*pläg*) *n.* 1. A pestilence, affliction, or calamity, especially one of divine retribution. 2. A sudden influx, as of destructive or injurious insects: a plague of locusts. 3. A cause for annoyance; nuisance: "the plague of social jabbering." (George Santayana). 4. A highly infectious, usually fatal epidemic disease, esp. the bubonic plague. — *tr.* — *plaguëd* (*pläj'üd*) *plagues*. 1. To harass, pester, or annoy: "The children who plagued the neighbors." 2. To afflict with or as if with plague or any other evil; to worry or distress: "Running inflation further plagued the wage- or salary-earner" (Edmund Reischauer). [ME *plagu* *<* OFr., wound *<* Lat. *plagu* *<* Gk. *πλάγω*] — *plagu'er's n.* — *plaguës'some adj.*
plaguey; also *plagueuy* (*pläj'üy*) *adj.* Informal. Irritating; bothersome. — *plagu'y, plagu'yly adv.*
plaice (*pläs*) *n., pl.* plaice or *plai-cees*. 1. An edible marine fish. *Pleuronectes platessa*, of western European waters. 2. A variety of various flatfishes, such as *Hippoglossoides platessoides* of North American Atlantic waters, related to the plaice. [ME *<* OFr. *plais* *<* LLat. *platessa*, ult. *<* Gk. *platus*, broad.]
plain (*plaid*) *n.* 1. A rectangular woolen scarf of a checked or tartan pattern worn over one shoulder by Scottish Highlanders. 2. Cloth with a tartan or checked pattern. 3. A tartan or checked pattern. [Sc. Gael. *plaid*.] — *plaid-ed adj.*
plain (*plän*) *adj.* — *er., -est*. 1. Free from obstructions; open to view; clear: plain sight. 2. *Archaic*. Having no visible elevation or depression; flat; level. 3. Easily understood; clearly apparent: make one's intent plain. 4. Uncomplicated; easily understood; simple. 5. Straightforward; frank: candid; plain dealing. 6. Not mixed with other substances; pure: plain water. 7. Common in rank or station; average; ordinary: a plain man. 8. Unpretentious; unaffected; unsophisticated. 9. Not ornate; ordinary; simple: plain food. 10. With little ornamentation or decoration: a plain dress. 11. Not dyed, twilled, or patterned: a plain fabric. 12. Not beautiful or handsome: a plain face. 13. Sheer; utter; unqualified: plain terror. — *n.* — *plaine*. An extensive, level, treeless land region, such as a valley floor or a plateau summit. 2. Something devoid of ornamentation or extraneous matter. — *adv.* In a clear or intelligible manner. [ME *<* OFr. *<* Lat. *planus*, flat.] — *plainly adv.*
plainness n.
plainchant (*plän'chánt'*) *n.* Plain-song (sense 2). [Fr., transl. of Med. Lat. *cantus planus*, plain song.]
plainclothes-man (*plän'klöz'mán*) also *plain-clothes-man* (*plän'klöz'mán*) *n.* A member of a police force, esp. a detective, who wears civilian clothes on duty.
plain-laid (*plän'lád'*) *adj.* Designating a rope made of three strands laid together with a right-hand twist.
Plain People n. Members of the Mennonite, Amish, or Brethren sects, noted for their custom of wearing plain dress.
Plains calling n. Easy progress over a direct course.
Plains Indian n. A member of any of the tribes of North America Indians that once inhabited the Great Plains of the United States and Canada.
Plainsman (*plänz'mán*) *n.* An inhabitant or settler of the prairie regions of the United States.
plain-song (*plän'song*, -song') *n.* Mus. 1. Gregorian chant. 2. The general designation for the various bodies of medieval liturgical music without strict meter and sung without instrumental accompaniment. [Transl. of Med. Lat. *cantus planus*.]
plain-spoken (*plän'spök'ən*) *adj.* Frank; straightforward: a plain-spoken critic. — *plain'spo'ken-ness n.*
plaint (*plänt*) *n.* 1. A complaint. 2. An utterance of grief or sorrow; lamentation. 3. Law. A statement of grievance submitted to a court as a request for redress. [ME *<* OFr. *plaint* *<* Lat. *placare*, lament *<* p.part. of *plangere*, to beat or grieve.]
plaintiff (*plän'tif*) *n.* Law. The party that institutes a suit in law. [ME *plaintyf* *<* OFr. *plaintif* *<* *plaintif*, plaintive.]
plaintive (*plän'tiv*) *adj.* Expressing sorrow; mournful; melancholy. [ME *plaintyf* *<* OFr. *plaintif* *<* *plainte*, plaint.]
plaintively adv. — *plaint'iveness n.*
plait (*plät*) *n.* A weave in which the filling threads and the weft threads interlace alternately, forming a checkerboard pattern.
(plait, playt) n. 1. A braid, esp. of hair. 2. A pleat. — *tr.v.* — *plait-ing, plaited*. 1. To braid. 2. To pleat. 3. To fold by braiding or pleating. [ME, fold *<* OFr. *pleiti* *<* Lat. *platu*, to fold.] — *plait'er n.*
(plänt)n. 1. A detailed scheme, program, or method worked out beforehand for the accomplishment of an object: a plan of attack. 2. A proposed or tentative project or proposal: Do you have any plans for the evening? 3. A systematic arrangement of details; an outline or sketch: the plan of a building. 4. A drawing or diagram made to scale showing the

structure or arrangement of something. 5. In perspective rendering, one of several imaginary planes perpendicular to the line of vision between the viewer and the object being depicted. —*v.* **planned, plan-ning, plans.** —*tr.* 1. To formulate a scheme or program for the accomplishment or attainment of: *plan a campaign.* 2. To have as a specific aim or purpose; intend: *They plan to go to the beach.* 3. To draw or make a graphic representation of. —*intr.* To make plans. [Fr. < *planter*, to plant < Lat. *plantare* < *planitia*, sole of the foot.] —**plan-ner** *n.*

plan- *pref.* Variant of **plano-**.

plan-ar (plā'nār, -nār') *adj.* 1. Of, pertaining to, or situated in a plane. 2. Flat: *a planar surface.* 3. Having a two-dimensional characteristic. [LLat. *planarius*, flat < Lat. *planus*.] —**plan-ar-ity** (plā-nār'ē-tē) *n.*

plan-a-ri-a (plā-nār'ē-ə) *n.* Planarian.

plan-a-ri-an (plā-nār'ē-ən) *n.* Any of various flatworms of the order Tricladida, having broad, ciliated bodies and a three-branched digestive cavity. [< NLat. *Planaria*, genus name < LLat. *planarius*, on level ground < *planus*, flat.]

plan-a-tion (plā-nā'shən) *n.* Lateral mechanical erosion, as of a valley, by a running stream. [< PLANE.]

planch-et (plān'chit) *n.* 1. A flat disk of metal ready for stamping as a coin; a coin blank. 2. A small disk of metal on which a radioactive substance is deposited for measurement of its activity. [Dim. of dial. *plunch*, board < ME *planchen* < OFr. *planche* < Lat. *plancus*.]

plan-chette (plān-shē'tē) *n.* A small triangular board with a pointer supported by two casters and a vertical pencil which is said to spell out messages from the spirit world when the operator's fingers are placed lightly upon it. [Fr., dim. of OFr. *planche*, board. —see PLANCHET.]

Planck's constant (plāngks) *n.* *Physics.* The constant of proportionality relating the quantum of energy that can be possessed by radiation to the frequency of that radiation. Its value is approximately 6.625×10^{-27} erg-second. [After Max K.E.L. Planck (1858-1947).]

plane¹ (plān) *n.* 1. *Math.* A surface containing all the straight lines connecting any two points on it. 2. A flat or level surface. 3. A level of development, existence, or achievement: *scholarship on a high plane.* 4. An airplane or hydroplane. 5. A supporting surface of an airplane; airfoil or wing. —*adj.* 1. *Math.* Designating a figure lying in a plane: *a plane curve.* 2. Flat. [Lat. *planum*, flat surface < *planus*, flat.] —**plane-ness** *n.*

plane² (plān) *n.* 1. A carpenter's tool with an adjustable blade for smoothing and leveling wood. 2. A trowel-shaped tool for smoothing the surface of clay, sand, or plaster in a mold. —*v.* **planned, plan-ning, planes.** —*tr.* 1. To smooth or finish with or as with a plane. 2. To remove with a plane. —*intr.* 1. To undergo planing: *Poplar planes easily.* 2. To act as a plane. [ME < OFr. < LLat. *pland* < *planure*, to plane < *planus*, flat.]

plane³ (plān) *intr.v.* **planned, plan-ning, planes.** 1. To rise partly out of the water, as a hydroplane does at high speeds. 2. To soar or glide. 3. To travel by airplane. [Fr. *planer*, to glide < *plan*, level surface < Lat. *planum* < *planus*, flat.]

plane⁴ (plān) *n.* The plane tree. [ME < OFr. < Lat. *platanus* < Gk. *platanos* < *platus*, broad.]

plane angle *n.* An angle formed by two straight lines.

plane geometry *n.* The geometry of planar figures.

plane-load (plān'lōd') *n.* The load an airplane is able to carry.

plan-er (plā'nār) *n.* 1. One that planes. 2. A machine tool for smoothing and planing the surfaces of wood or metal. 3. *Printing.* A smooth block of wood used to level a form of type.

plan-er tree (plā'nār) *n.* A small swamp tree, *Planera aquatica*, of the southern United States, having small, rough, nutlike fruit. [After J.J. Planer (1743-1789).]

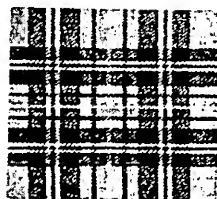
plane-side (plān'sid') *n.* The area adjacent to an airplane.

planet (plān'it) *n.* 1. A nonluminous celestial body illuminated by light from a star, such as the sun, around which it revolves. In the solar system there are nine known major planets: Mercury, Venus, Earth, Mars, Jupiter, Saturn, Uranus, Neptune, and Pluto. 2. In ancient astronomy, one of the seven celestial bodies (Mercury, Venus, the Moon, the sun, Mars, Jupiter, and Saturn) visible to the naked eye and thought to revolve in the heavens about a fixed Earth and among fixed stars. 3. In astrology, one of the seven revolving celestial bodies that in conjunction with the stars are supposed to influence human affairs and personalities. [ME OFr. *planete* < LLat. *planeta* < Gk. *planēs*, wanderer < *anasthai*, to wander.]

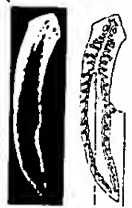
plane table *n.* A portable surveying instrument consisting essentially of a drawing board and a ruler mounted on a tripod and used to sight and map topographical details.

plane-tar-i-um (plān'tār'ē-əm) *n., pl. -i-ums or -ia* (ē-ə). An apparatus or model representing the solar system. A device for projecting images of celestial bodies in their courses onto the inner surface of a hemispherical dome. A building or room containing a planetarium, with seats for an audience.

plane-tary (plān'tēr'ē) *adj.* 1. Of, pertaining to, or resembling the physical or orbital characteristics of a planet or the planets. 2. Terrestrial; mundane; earthly. 3. Wandering; er-



plaid



planarian
Diagram (*right*) showing
branched digestive tract

plane²

/ g gag / h hat / hw which / i pit / ipk / if
 ð paw, / o noise / ou out / oo took / oo two
 / r roar / s sauce / sh ship, dish / t tight / th thin, path / th this, bathe / ü ut / ür urge / v valve / w with / y yes / z zebra, size /
 about, item, edible, gallop, circus / æ Fr. feu, Ger. schön / ü Fr. tu, Ger. über / KH Ger. ich, Scot. loch / n Fr. bon.